

FISCAL NOTE

HB 3272 - SB 3352

March 11, 2006

SUMMARY OF BILL: Authorizes a judge to order sentences for multiple convictions be served consecutively rather than concurrently if the defendant committed a felony while incarcerated.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$1,273,500 / Incarceration*

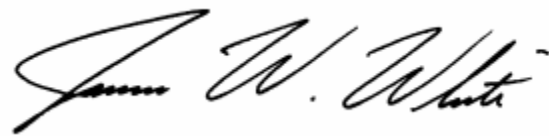
Assumptions:

- According to the U.S. Census Bureau, population growth in Tennessee has been 1.09 percent per year for the past 10 years, yielding a projected compound population growth of 13.6% over the next ten years.
- Two offenders per year will serve 6.8 years (2,483.70 days) for committing a felony while incarcerated. According to the Department of Correction, the average operating cost per inmate per day for calendar year 2006 is \$50.02. The cost per inmate at 6.8 years is \$124,234.67 (\$50.02 x 2,483.70 days). The total operating cost for two offenders per year is \$248,469.34 (\$124,234.67 x 2). No significant incarceration cost increase will occur due to population growth for this Class B felony offense.
- 168 persons will be convicted of Class E felony offenses for committing a felony while incarcerated in the first year. Population growth of 1.09 percent per year will result in 19 additional offenders charged with this Class E felony offense in the tenth year as a result of this bill. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based upon 187 offenders serving 0.3 years.
- 187 offenders will serve 0.3 years (109.58 days). The cost per inmate is \$5,481.19 (\$50.02 x 109.58 days). The total operating cost is \$1,024,982.53 (\$5,481.19 x 187).

**Tennessee Code Annotated, Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director